

**2003 UNIFORM MECHANICAL CODE  
AMENDMENTS  
CITY OF SAN ANTONIO**

Section 110 is amended to read as follows:

## Board of Appeals

110.1.1 added new paragraph to read as follows:

### Composition

The mechanical board of appeals shall consist of 11 appointive members residing in the city. The appointive members will consist of one licensed mechanical contractor, two licensed mechanical technicians, one of whom shall represent the open shop segment of the industry and one of whom shall represent the union segment, two professional engineers, one commercial refrigeration contractor, one manufacturer's representative or distributor of refrigeration, heating or air conditioning equipment, one licensed architect, and three lay persons (consumer representatives). Limit of term of office not to exceed two years. Limit of three consecutive 2-year terms.

Add Section 110.1.2 Function to read as follows:

1. The mechanical board of appeals shall serve as an advisory board to the department of Development Services and to the city council on the administration of this code and may from time to time recommend amendments to this code.
2. Every appeal application to the board shall be accompanied by a filing fee as set forth in the fee schedule adopted by the city of San Antonio.
3. It shall be the duty of the mechanical board of appeals to review the qualifications of all applicants for certificate of licenses. Examinations shall be conducted at times approved by the board within not less than 60 days nor more than 90 days following the previous examination. The chief mechanical inspector shall issue certificates of licenses to applicants who satisfactorily pass the examination with a grade of not less than 70%. The mechanical board of appeals shall advise the director of Development Services department concerning the scope and content of the examination and make other recommendations pertaining to conduct thereof and procedures for licensing applicants.

Add Section 110.1.3 Ground for Removal of Members

1. Any member of the mechanical board of appeals found guilty of violation of the uniform mechanical code or who fails to perform his duties as a board member shall be removed by a 2/3 vote of the remaining board members. The city manager will be advised of the findings of the board for necessary action.

2. If a member's attendance at regularly scheduled meetings falls below 50% on an annual basis from the appointment date or a member misses three regularly scheduled consecutive meetings, the member will be asked to resign. Absences may be formally excused by the board.

#### Add Section 110.1.4 Member Not to Sit When Charges are Preferred

Where charges are preferred against a member of the mechanical board of appeals, such member shall not sit as a member of the board during the hearing of the case.

#### Add Section 110.1.5 Board Meetings

1. The board of appeals shall meet quarterly. The board may meet more often when the board deems it necessary. The board shall meet for special cases if specifically called by the chairman, the director of Development Services department, or four other board members, and the members shall be devoted to hearing charges, reviewing applications for licensing, or acting on appeals, interpretations and complaints received by the director or chief mechanical inspector, and any other business as may be brought before such board.
2. All charges, appeals, requests for interpretations and complaints shall be presented to the board by the chief mechanical inspector or his authorized representative on forms indicating the identity of the applicant or plaintiff, the section or sections of the code in question, and a clear statement of the plaintiff's request and his reasons for making said request.
3. All applications for certificates of license shall be presented to the board by the chief mechanical inspector or his authorized representative on forms with sufficient information to allow the board to make a proper evaluation of the applicant's qualifications.
4. All forms for presentation to the board shall be provided by the chief mechanical inspector. The specific make up of each form shall be determined by the chief mechanical inspector and approved by the board.

#### Add Section 110.1.6 Procedure at Meetings

The meeting of the mechanical board of appeals shall be conducted in conformity with Parliamentary Rules (Robert's Rules of Order), or any other rules under which the board members agree to abide unless otherwise specified in this chapter.

#### Add Section 110.1.7 Quorums and Majority Vote

1. Six member shall constitute a quorum.

2. The vote of a majority of the members present shall be necessary for the adoption of any matter, except as otherwise provided in this amendment. Each member of the mechanical board of appeals shall have one vote.

#### Add Section 110.1.8 Suspension and Revocation of License

1. The mechanical board of appeals shall have the power to suspend or revoke the certificate of license of any person who is found guilty of:
  - a. the practice of any fraud or deceit in obtaining such license, or taking out mechanical permits in the name of some person not authorized by law to do mechanical work and thereafter permitting a person without a proper certificate of license to do the work, or
  - b. any intentional violation of the uniform mechanical code in the performance of mechanical work performed within the city.
2. In determining such charges, the mechanical board of appeals shall proceed upon the sworn information furnished by any city inspector or resident of this city who is of sound mind and legal age. Such board, whenever it deems the information sufficient to support further action on its part, shall cause a copy of the board's order and of the information to be served upon the accused by registered mail at least 15 days before the date appointed in the order for the hearing. The accused may appear in person or by counsel, or both, at the time and place named in the order and make his/her defense to the same. The city attorney shall provide counsel for the board. If the accused fails or refuses to appear, the board may proceed to hear and determine the charge in his absence. If the accused pleads guilty, or if upon a hearing of the charges by the board, by a vote of 6 or more of its members shall find them to be true, it may enter an order suspending or revoking the license of such contractor. (See Section 118.10)
3. When the board has completed such hearing, it shall cause a record of its findings and decision to be filed with the city clerk, and shall cause a certified copy thereof to be forwarded to the accused.
4. It shall be unlawful for any person whose rights under a certificate of license have been suspended or revoked by the board to engage in or do mechanical work.
5. If the board desires to revoke the party's certificate of license permanently, it shall so state, if not, it shall make provisions for reinstatement.
6. An affirmative vote of at least 2/3 of the board member present shall be required for suspension or revocation of license.

#### Add Section 110.1.9 Appeals to the Board

The mechanical board of appeals shall require notice of appeals in writing stating grounds for appeal and other such matters indicating the relevant sections of the code. Any person may request an appeal or review before such board. Hearing for appeals shall be granted, and the applicant and the director or the chief mechanical inspector must be give reasonable notice of the time and place of appeal.

#### Add Section 110.1.10 Appeals from the Board's Action

Any action of the mechanical board of appeals may be appealed by written petition filed with such board and the city clerk within 7 days for a hearing before city council.

#### Section 113 Revised paragraph 113.1 to read as follows:

##### 113.1 Application

To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the code enforcement agency for that purpose. This application shall contain all the information necessary for the lawful enforcement of the provisions of this code. The permit application must be filed by a person or his authorized agent or persons authorized by state law. Persons holding a valid Texas air conditioning contractor's license may apply for permits to perform work authorized by such license as defined by the state law, provided they register their state license with the city of San Antonio. Every application shall:

1. identify and describe the work to be covered by the permit for which application is made;
2. describe the land on which the proposed work being done by legal description, street address or similar description that will readily definitely located the proposed building or work;
3. indicate the use or occupancy for which the proposed work is intended;
4. be accompanied by plans, diagrams, computations and specifications and other data as required in Section 113.2;
5. be signed by the applicant or an authorized agent of the applicant;
6. give such other data and information as may be required by the building official.

Revise Section 113.2 to read as follows:

### 113.2 Plans and Specification

Plans, engineering calculations, diagrams and other data shall be submitted in two sets with each application for a permit. When such plans are not prepared by an architect or engineer, the building official may require any applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by an architect or engineer. The building official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.

Exception: The building official may waive the submission of plans, calculations or other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

Add Section 113.3.1 Surety Bond to read as follows:

In addition to filing the permit application, any person engaged in the mechanical business shall have on file at the city clerk's office a properly executed surety bond in the amount of five thousand (\$5000) dollars issued and validated by a company duly authorized to do business in the state of Texas.

1. This bond shall be conditioned for the faithful performance of all work entered upon or contracted for, and in strict accordance and compliance with the terms, requirements and provisions of this code; and further conditioned that the contractor shall, without additional cost to the person, firm or corporation for which such contract work is done, correct any defect due to faulty workmanship, materials or non compliance with the provisions of this code. Such corrections shall be accomplished within 72 hours after receipt of notification by the mechanical inspector.
2. The surety bond company shall include a provision in the surety bond for notification of surety cancellation or reduction in the amount of surety. Such notification shall be given in writing to the city clerk and shall become effective at 12:00 P.M. after five consecutive working days and receipt by the city clerk of such notification of cancellation or reduction in the amount of the surety bond. No permit shall be issued to the principal (contractor) until such time as the surety bond has been revalidated to the amount stated above.
3. All surety bonds shall terminate on the 31<sup>st</sup> day of December.

Change Section 115 to read as follows:

#### 115 Fees.

The fee for each permit shall be as set forth in the schedule adopted by the city of San Antonio.

Section 116.6.1 amended to read as follows:

#### 116.6.1 How Obtained.

To obtain reinspection, the applicant shall make a request to the building official and pay the reinspection fee in accordance with the fee schedule adopted by the jurisdiction.

When reinspection fees have been assessed, release of utilities shall not occur until the required fees have been paid.

Add Section 118 – Licenses to read as follows:

118.1 Any person performing any type of mechanical work in the city of San Antonio shall have in his possession a valid and authenticated mechanical license issued by the director of Development Services department of the city of San Antonio, Texas or a valid mechanical license issued by the state of Texas, except as otherwise provided under Section 118 federal or state law.

#### 118.2

A licensed contractor must maintain a bona fide company address and telephone to enable city inspectors to contact the contractor in case of a job discrepancy.

Any person holding any type of valid license to do mechanical work in the city of San Antonio at the time of adoption of this code shall be deemed qualified to hold the same type of license under this code, except that this section shall not exempt him from any examination and prescribed experience.

118.3 A San Antonio mechanical license may be issued to any person who meets the prerequisites listed below, successfully completes the San Antonio mechanical examination and has paid the required license fee.

118.4 An applicant applying for a mechanical license shall complete the application form obtained at the Development Services department. The application form shall be accompanied by the license fee corresponding to the type of license requested, as set forth in the fee schedule adopted by the city of San Antonio.

The following prerequisites must be met in addition to those listed above:

<b>LICENSE</b>	<b>EXPERIENCE</b>
Master	5 years*
Technician	3 years as an apprentice or equivalent documented experience**
Apprentice	None

Experience is defined as work performed in the installation and maintenance of heating, ventilating, cooling and refrigeration systems and equipment.

Technician experience is experience documented as licensed apprentice work or equivalent to apprentice work.

The apprentice license does not require experience. The board requires that the beginning worker obtain the apprentice license to establish the experience record.

The board may consider equivalent work experience, supported by documentary evidence or verifiable hardship cases in assessing the amount of credit allowable to meet the requirements of this code.

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\*Documentation substantiating that for a minimum of two of the five years' experience, the applicant has held a city technician license; state air conditioning and refrigeration contractor's license or worked under a holder of a state air conditioning and refrigeration contractor's license.

\*\*A total of six months may be credited to experience required to obtain a technician license when the applicant can submit proof of satisfactory completion of a heating and air conditioning course from any school acceptable by the city of San Antonio. A total of three years may be credited for a bachelor degree in engineering presented by any college or accredited university.

Any person applying for a master mechanical license shall present a certificate of insurance issued by an insurance company authorized to do business in the state of Texas, certifying that the applicant is insured to the limits of at \$100,000 public liability insurance per occurrence and \$100,000 property damage liability insurance per occurrence.

Any person applying for a master or technician mechanical license shall pass a written examination to be administered at times and places and by persons specified by the building official. Such examination shall be offered at intervals of not greater than once each quarter. (See Section 110.1.2 Item 3) Examination fees must be paid prior to taking the examination, in the amounts set forth by the fee schedule adopted by the city of San Antonio.

ALL LICENSES SHALL EXPIRE ON DECEMBER 31 OF EACH YEAR.



#### Section 118.5 Applicant Failing the Examination

If an applicant for a mechanical license fails to pass the required examination, he shall not be eligible for re-examination for a period of 90 days.

#### Section 118.6 Homestead Permit

A person who is not a licensed mechanical contractor may perform mechanical work with his own hands within a dwelling premises owned by him, provided such person has filed with the building official an affidavit that the location where such work is to be done is his homestead. Such affidavit shall be made under such circumstances as to support conviction of the applicant for false swearing if such affidavit is false. Before performing such work, he shall obtain from the building official a permit to do such work, and shall pay the permit fee, which is otherwise required. Any person who allows anyone other than a licensee under the provisions of this code to perform any mechanical work under such permit, shall be in violation of this code. Homestead permit does not apply to new residential buildings.

#### Section 118.7 Duplicate Licenses.

Any person whose license was destroyed or lost may obtain a duplicate license upon payment of the fee set forth in the fee schedule adopted by the city of San Antonio.

#### Section 118.8 Change of Address

Any person holding a mechanical license shall report to the Development Services department any change of address in order to allow the Development Services department to maintain accurate license renewal records.

#### Section 118.9 License Renewal

Licenses shall be renewed prior to expiration date. Each person holding a valid mechanical license shall renew same in sufficient time to have the license renewal form returned to the Development Services department with the appropriate renewal fee prior to license expiration date. Any person who does not renew his license prior to expiration date must appear before the mechanical board of appeals and show cause why his license should be renewed without taking the required license examination. In the event that a person does not renew his license after one year from date of expiration, he shall be required to take an examination as per a new license, and pay the full fee.

## Section 118.10 Suspension of License

The mechanical board of appeals may suspend any mechanical license for a period of not more than one year, after determining at a proper hearing (See Section 110.1.8) before the mechanical board of appeals that the licensee has done any of the following:

1. permitted an unlawful or fraudulent use of such license;
2. committed an offense in another state, county or city which, if committed in this city would be grounds for suspension or revocation;
3. is an habitual violator of this chapter (habitual shall mean three or more separate violations);
4. performed mechanical work that is in violation of this chapter and then failed or refused to make corrections necessary for the work to conform to this chapter;
5. performed any mechanical work that is in violation of this chapter, and such work is found to be the cause or a contributing cause of a fire, whether or not there is any actual damage or loss.

## Section 118.1 Certain Acts Prohibited

In addition to other provisions of this code, it shall be unlawful for any person to do any of the following acts:

1. to display, cause or permit to be displayed or to have in one's possession any instrument purporting to be licensed for the doing of any mechanical work, knowing such instrument to be fictitious or to have been canceled, revoked suspended or altered;
2. to lend or knowingly permit the use of any license for the doing of any mechanical work to any person not entitled thereto, under the provisions of this chapter;
3. to display or represent as one's own a license for the doing of any mechanical work when such license has not been lawfully issued to the person so displaying the same;
4. to fail or refuse to surrender to the building official on demand any license for the doing of any mechanical work which has been suspended, canceled or revoked as provided by law;
5. to apply for or have in one's possession more than one current license of the same type provided for in this chapter;

6. to use a false or fictitious name or give a false or fictitious address in any application for any license provided for in this chapter, or any renewal or duplicate thereof, or knowingly make a false statement or knowingly conceal a material fact or otherwise commit fraud in making any such application;
7. to employ as a master, technician or apprentice in mechanical work any person not licensed as provided in this chapter;
8. to perform any character of mechanical work for which a license is required by this chapter while such license is suspended, canceled or revoked.

#### Section 118.12 Vehicle Identification

All mechanical contractors holding a master's license from the city of San Antonio shall display on both sides of any vehicles being used for or in connection with mechanical installation or service work, a sign depicting the identity of the person, firm or corporation performing the work and the mechanical master's license number issued by the city of San Antonio. The sign shall have the numbers not less than 3" high.

#### Section 118.13 Right of Appeal

Any person denied a license or whose license has been suspended or revoked by the mechanical board of appeals shall have the right to appeal such order or action within 7 days to city council by filing a written notice of appeal with the city clerk.

Section 118.14 The chief mechanical inspector shall be the master of the city of San Antonio.

Add Section 215. Definitions, to read as follows:

Mechanical master is any person licensed as a mechanical master in compliance with the pre-requisites of this code who holds himself out to the public as being qualified to do the kind of mechanical work or to contract for the doing of the kind of mechanical work by himself or by the employment of mechanical technicians or mechanical apprentices which his license authorizes him to do.

Mechanical technician is any person licensed as a mechanical technician, in compliance with the requirements of this code, who works for and under the general supervision and direction of a mechanical master, doing mechanical work contracted for by mechanical master, and who does not hold himself out to the public as being qualified to contract for the doing of mechanical work.

Mechanical apprentice is any person who is learning the trade of mechanical apprentice and who works only under the direct supervision of a mechanical master or technician and who is licensed as an apprentice as provided by this code.

Section 305.0 is amended by adding the following three subsections:

Warm air furnaces shall not be installed in:

1. a closet or alcove less than six inches wider than the furnace or furnaces installed therein with minimum clear working space less than three inches along the sides, back and top of the furnace;
2. fuel burning or electric furnaces shall not be installed under any stairway or landing.
3. In addition to the above, space in which any fossil fuel fired attic furnace is installed shall be provided with a permanent ladder or fold-away ladder.

Section 305.1 Last sentence is amended by adding the following:

- 1.1 Is large enough to remove the largest piece of equipment but not less than 30 inches (762 mm) high and 30 inches (762 mm) wide,
- 1.2 Is no more than 20 feet (6096 mm) in length when measured along the center line of the passageway from the access opening to the equipment, and
- 1.3 Has continuous solid flooring not less than 24 inches (610 mm) wide throughout its length; and
2. A level service space at least 30 inches (762 mm) deep and 30 inches (762 mm) wide located at the front or service side of the equipment.

Exception: The passageway and level service space may be omitted if the equipment can be serviced and removed through the access opening.

Section 309.0 After the last sentence, add:

Such wiring, exposed to weather, shall be installed in conduit approved for exterior use.

Section 602.1 is amended by adding the following exception:

Exception: Corridors may be used to convey air to areas such as toilet rooms, bathroom, shower rooms, sink closets and similar auxiliary spaces opening directly on the corridor provided such spaces have a mechanical exhaust system and the integrity of any required rated corridor is not breached.

Section 904.10.2.1 Delete the words “gas utilization” and add the word “all”

Section 904.10.3.1 Delete the words “gas utilization” and add the word “all”

Section 904.10.3.3 is amended by adding the following:

1. Ladders shall:
  - 1.1 Not be less than 14 inches (356 mm) wide,
  - 1.2 Have a rung spacing not more than 14 inches (356 mm) on center,
  - 1.3 Have a toe space at least 6 inches (152 mm) deep,
  - 1.4 Provide intermediate landings not more than 18 feet (5486 mm) apart,  
and
  - 1.5 Have side railings which extend at least 30 inches (762 mm) above the scuttle opening or coping to the step off.
2. Catwalks shall:
  - 2.1 Not be less than 24 inches (610 mm) wide and
  - 2.2 Have railings as required for service platforms.

Permanent ladders and catwalks shall be fixed to the structure as required by the Building Code. Stairways providing the required access shall comply with the Building Code.

Section 1106.0 General Requirements add Section 1106.2.1 to read as follows:

#### 1106.2.1 Supports and Anchorage

Every condensing unit, compressor, evaporative cooler or roof top unit located on a roof shall rest on a manufacturer's standard perimeter support, self flashing roof curb or 4 X 4 treated wood skids.

Section 1106.10 is amended by adding the following:

Primary drain lines located above ceiling shall be insulated with foamed plastic, rubber based insulation or other approved material with a minimum thickness of 3/8" except that drain lines located under floor in crawl space are not required to be insulated.

Exception: A float switch which interrupts the unit operation prior to condensate overflow may be provided in:

- a. an accessible primary drain pan in lieu of the auxiliary drain pan or standing overflow:
- b. a secondary drain pan in lieu of the secondary drain line.

Chapters 13, 14, and 16 of the 2003 Uniform Mechanical Code are hereby deleted.